

REMARKS

This paper is being filed in response to the non-final Office Action dated April 7, 2004. Applicants note with appreciation that claims 45, 46, 49, 50, 64, 65, 76 and 77 are allowed. Claims 52-60, 64, 67-77, 79-80, and 82-87 have been amended herein. Applicants submit that no new matter is introduced by these amendments. Accordingly, Claims 45-46, 49-50, 52-60, 64-65, 67-77, 79-80, and 82-87 remain pending.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 52-60, 67-75, 79-80, and 82-87 have been objected to as being of improper dependent form and rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner has objected to the recitation of the phrase “a modification thereof.”

In response, Applicants have amended the claims to delete the phrase “a modification thereof.” Accordingly, Applicants request the withdrawal of the objections and rejections under 35 U.S.C. § 112, second paragraph, of claims 52-60, 67-75, 79-80, and 82-87.

Rejections under 35 U.S.C. § 102(b)

Claim 79 is rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent No. 5,643,788 to Baserga et al., Delafontaine, or WO 98/22579 by Low et al. Claim 79 has been amended herein to encompass a composition comprising a nucleic acid molecule consisting essentially of 5'-UCCGGAGCCAGACUU-3' (SEQ ID NO:12). Accordingly,

Applicants respectfully submit that claim 79, as amended, is not anticipated by the cited references and respectfully request withdrawal of the rejection of claim 79 under 35 U.S.C. § 102(b).

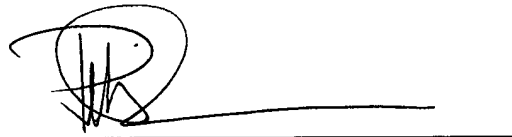
CONCLUSION

In view of the foregoing amendments and remarks, favorable consideration and allowance of all pending claims is earnestly solicited.

Applicants attach herewith a fee transmittal authorizing the extension fee pursuant to 37 C.F.R. §§ 1.136(a) and 1.17(a)(3) for reply within the third month. No fee, other than the three-month extension fee, is believed due in connection with this submission. However, if any additional fee is required in connection with this communication, the Commissioner is hereby authorized to charge such fee pursuant to 37 C.F.R. §1.17(p) to Deposit Account No. 02-4377.

Respectfully submitted,

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